PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

The Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Signature

Application Number	10/046,490		
Filing Date	10/25/2001		
First Named Inventor	Josef Stefan Kohne		
Group Art Unit	1661	÷	
Examiner Name	Wendy Haas		
Attorney Docket Number	BROKAW-40124		

June 11,2004

Date

	ENCLOSURES (check all that apply)				
Fee Transmittal Form Fee Attached Amendment / Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statem Certified Copy of Priority	Assignment Papers (for an Application) Drawing(s) Licensing-related Papers Petition Petition Petition to Convert to a Provisional Application Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s) After Allowance Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please identify below):				
Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts/ under 37 CFR 1.52 or 1	Remarks				
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT					
Firm or Individual name Kelly Lowry & Kelley, LLP Aaron T. Borrowman					
Signature					
Date June 11, 2004					
CERTIFICATE OF MAILING					
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: June 11, 2004					
Typed or printed name Aaron T. Borrowman					

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 11, 2004

June 11, 2004

1661.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

	Application of Stefan Köhne)	Group Art Unit: 1661
Serial	No. 10/046,490)	Examiner: Wendy Haas
Filed:	October 25, 2001)	Docket No.
For:	AVOCADO TREE NAMED 'MERENSKY 2'))))) BROKAW-40124)))

<u>AMENDMENT</u>

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir/Madame:

In response to an Office Action dated June 4, 2004, requesting a clean copy of the Specification, attached is the clean copy, with no new matter entered.

Respectfully submitted, KELLY LOWRY & KELLEY, LLP

Aaron T. Borrowman
Registration No. 42,348

ATB/kr 6320 Canoga Avenue, Suite 1650 Woodland Hills, California 91367 (818) 347-7900